

C H A P.

III.

Appeals from
Chancery to
be under the
same Regula-
tions as those
from Courts
of Common
Law.

III. And be it further Enacted, *by the Authority aforesaid, by and with the Advice, and Consent aforesaid*, That Appeals from the Court of Chancery to the Court of Appeals, shall be subject to the same Regulation and Limitation, as to the Prosecution of them, as Appeals from the Courts of Common Law are; any Law, Statute, Usage or Custom to the contrary notwithstanding.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

C H A P. IV.

Passed 8th
August 1729.

An ACT for the more effectual Punishing of Negroes and other Slaves; and for taking away the Benefit of Clergy from certain Offenders. *Lib. L. N° 5. fol. 258.*

Preamble.

WHEREAS several Petit-Treasons, and cruel and horrid Murders, have been lately committed by Negroes, which Cruelties they were instigated to commit, and hereafter may be instigated to commit with the like Inhumanity, because they have no Sense of Shame, or Apprehension of future Rewards or Punishments: And that the Manner of Executing Offenders, prescribed by the Laws of *England*, is not sufficient to deter a People from committing the greatest Cruelties, who only consider the Rigour and Severity of Punishment: *Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same*, That when any Negro, or other Slave, shall be convicted, by Confession, or Verdict of a Jury, of any Petit-Treason, or Murder, or wilfully Burning of Dwelling Houses, it shall and may be lawful for the Justices before whom such Conviction shall be, to give Judgment against such Negro, or other Slave, to have the Right Hand cut off, to be Hanged in the usual Manner, the Head severed from the Body, the Body divided into Four Quarters, and Head and Quarters set up, in the most public Places of the County where such Fact was committed.

Punishment
of Slaves
convict of
Petit Treason,
Murder,
or Burning of
Dwelling-
Houses.

Punishment
of Persons
breaking into
any Shop, or
Store, &c.

II. And whereas, several Felons have feloniously broke and entered several Shops, Store-houses, or Ware-houses, not contiguous to, or used with any Mansion-house, and Stolen from thence several Goods and Merchandizes; and that it hath been doubted whether such Offenders are, by any Law now in Force, excluded the Benefit of Clergy; *Be it Enacted and Declared, by the Authority, Advice, and Consent aforesaid*, That if any Person or Persons, shall, after the End of this Session of Assembly, break into any Shop, Store-house, or Ware-house, although such Shop, Store-house, or Ware-house, be not contiguous to, or used with any Mansion-house, and steal from thence any Goods, to the Value of Five Shillings, and be thereof convicted, by Confession, or Verdict of a Jury, such Offender or Offenders, shall suffer Death, as Felons, without Benefit of Clergy; any Law, Usage or Custom to the contrary notwithstanding.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

C H A P. V.

Passed 8th
August 1729.

An Act reviving and continuing an Act, entitled, * *An Act ascertaining the Gauge and Tare of Tobacco Hogsheads; and to prevent cropping, cutting, and defacing Tobacco taken on board Ships and Vessels upon Freight; and for laying Impositions on Tobacco per the Hogshead for the Support of Government; and for the encouraging Settlements in this Province, by ascertaining the Manner of paying his Lordship's Alienation Fines and Quit-Rents, for the Term therein proposed; and for taking off the Three-pence per Hogshead formerly raised for the Public Charge.* *Lib. L. N° 5. fol. 260. EXP.*

* 1717, ch. 7, hereby continued to 29th September 1730.

C H A P.